

Notice of Allowability

Application No.

10/549,614

Examiner

Brooke J. Dews

Applicant(s)

KANAMORI ET AL.

Art Unit

2182

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 09/20/2005.
2. ☒ The allowed claim(s) is/are 1-15.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☒ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date 20070622.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date 20050920
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

DETAILED ACTION

Drawings

1. Figures 11-14 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). Corrected drawings in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

EXAMINER'S AMENDMENT

Options Available to the Applicant

2. An Examiner's Amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 C.F.R. § 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the Issue Fee.

Authorization for the Corrections by the Examiner

3. Authorization for this Examiner's Amendment was given in a telephone interview with Mr. Nelson Shapiro, having Reg. No. 17,095, on June 22, 2007. Accordingly, since a complete

record of the interview has been incorporated in the instant examiner's amendment, no separate interview summary form is included in the instant office letter **MPEP § 713.04**.

Corrections Made in the Application

4. The application has been amended as follows:

Specification:

A title of the invention that is clearly indicative of the invention to which the claims are directed:

Memory card and initialization setting method thereof to avoid initializing operation failure in a memory card

In the Claims:

The below described amendments to the claims are necessary to further clarify the claimed invention. **NOTE:** The claims amended by this examiner's amendment have been referred to by their original claim number and, if renumbered at time of allowance, also by the new number located in parentheses as required by **MPEP § 1302.04(g)**.

In claim 1, change "the comparison circuit" in **line 18 of page 2** to "a comparison circuit" and change "the result" in **line 2 of page 3** to "a result".

Also original claims 1-15 have been renumbered as follows:

Original claim numbering

New claim numbering

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7	3
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15	12

Allowable Subject Matter

5. Claims 1-15 are allowed.

6. The following are reasons for allowance (See MPEP 1302.14):

The primary reasons for allowance of **claim 1** in the instant application is the combination with the inclusion in these claims that "wherein, when the controller receives a disagreement occurrence detection signal from the comparison circuit after execution of initialization setting, the controller carries out initialization process again based on the result of detection stored in an initialization command storage portion".

The primary reasons for allowance of **claim 3** in the instant application is the combination with the inclusion in these claims that "wherein the controller comprises a host interface portion that, when an initialization setting command for first or second operation mode issued from the outside is detected, outputs a mask signal, and does not accept a new initialization setting command while initialization setting is being carried out in either first or second operation mode".

The primary reasons for allowance of **claim 5** in the instant application is the combination with the inclusion in these claims that "wherein the controller carries out initialization setting in either first or second operation mode based on the result of detection, and, if a new result of detection is stored after completion of the initialization setting, carries out firmware reset process based on the result".

The primary reasons for allowance of **claim 8** in the instant application is the combination with the inclusion in these claims that "carrying out initialization process again by the controller based on the result of detection stored in the initialization command storage portion when the disagreement occurrence detection signal is received".

The primary reasons for allowance of **claim 9** in the instant application is the combination with the inclusion in these claims that "outputting a mask signal to the initialization command storage portion by a mode setting mask portion when the initial command detection portion

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detects an initialization setting command for first or second operation mode, and thereby masking any result of detection newly inputted to the initialization command storage portion”.

The primary reasons for allowance of **claim 10** in the instant application is the combination with the inclusion in these claims that “carrying out firmware reset process based on the results of detection successively outputted from the initialization command storage portion each time the initialization setting completion signal is received after completion of the initialization setting”.

The prior art of record including the disclosures of Robert J Gray et al. (2001/0000405), Gregory L. Miller et al. (2004/0064686) and Masayuki Kitagawa (6,708,231) neither anticipates nor renders obvious the above recited combination. Because claims **2, 4, 6, 7, 11, 12, 13, 14, and 15** depend directly or indirectly on either one of claims 1, 3, or 5, these claims are considered allowable for at least the same reasons noted above.

Any comments considered necessary by applicant must be submitted no later than the payment of the Issue Fee and, to avoid processing delays, should preferably **accompany** the Issue Fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

7. This application is in condition for allowance except for the following formal matters:
- Figures 11-14 should be designated by a Prior Art label to overcome the objections supra.
- Prosecution on the merits is closed in accordance with the practice under *Ex parte Quayle*, 25 USPQ 74, 453 O.G. 213, (Comm’r Pat. 1935).

A shortened statutory period for reply to this action is set to expire **TWO MONTHS** from the mailing date of this letter.

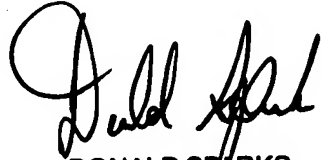
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8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brooke J. Dews whose telephone number is 571-270-1013. The examiner can normally be reached on M-Th 7:30-5:00, alternate F 7:30-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Donald Sparks can be reached on (571) 272-4201. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

BD


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SUPERVISORY PATENT EXAMINER